

**WEDNESDAY, APRIL 8, 1992**  
**EIGHTY-FIRST LEGISLATIVE DAY**

The House met at 2:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Father Bob Roeser, Church of Immaculate Conception, Clarksville, Tennessee.

Representative Knight led the House in the Pledge of Allegiance to the Flag.

**EXCUSED**

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Cross; due to medical reasons.

Representative Garrett; due to illness.

**ROLL CALL**

The roll call was taken with the following results:

Present . . . . . 97

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowikes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce, Kent, King, Kisber, Liles, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

**REPORT OF COMMITTEE ON CALENDAR AND RULES**  
**April 7, 1992**

MR. SPEAKER: Your Calendar and Rules Committee reports that we have met and set the following bills on the **Regular Calendar for Thursday, April 9, 1992**: House Bill(s) No(s) 2657, 2030, 2031, 2033, 2230, 2523, 1767, 2182, 1947, 2623, 2235, 1815, 1825, 1835 and 2413.

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We have also set the following bills on the **Regular Calendar** for **Monday, April 13, 1992**: House Bill(s) No(s). 2696, 459, 2449, 2568, 1119, 1938, 2136, 1996, 1757, 1926, 1701 and 1680; Senate Bill(s) No(s). 2482; also, House Joint Resolution(s) No(s). 547.

We further report that we have met and set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **Monday, April 13, 1992**: House Bill(s) No(s). 2537, 1975, 2453, 2434, 1769, 1777, 1779, 1782, 1837, 2067, 1732, 2422 and 1850; also, House Joint Resolution(s) No(s). 495.

We further report that House Joint Resolution No. 548 be referred to the Finance, Ways and Means Committee.

PHILLIPS, Chair.

**REPORTS FROM STANDING COMMITTEES**

**AGRICULTURE**  
**April 7, 1992**

MR. SPEAKER: Your Agriculture Committee reports that we have carefully considered but failed to pass: House Bill No. 1988.

RAY DAVIS, Chair.

**COMMERCE**  
**April 7, 1992**

MR. SPEAKER: Your Commerce Committee reports that we have carefully considered and recommend for passage: House Bill(s) No(s). 2170, 2497, 2578 and 2732; also, House Bill(s) No(s). 2325 if amended.

We further recommend that, pursuant to **Rule No. 72**, the following be referred to Finance, Ways and Means: House Bill(s) No(s). 2641 and 2731.

We further report that the following was/were considered but failed to pass: House Bill No. 2390.

RHINEHART, Chair.

Under the rules, House Bill(s) No(s). 2170, 2497, 2578 and 2732; also, House Bill(s) No(s). 2325 with amendment(s) was/were transmitted to the Calendar and Rules Committee.

Pursuant to **Rule No. 72**, the Speaker referred House Bill(s) No(s). 2641 and 2731 to the Finance, Ways and Means Committee.

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**CONSUMER AND EMPLOYEE AFFAIRS**  
**April 7, 1992**

MR. SPEAKER: Your Consumer and Employee Affairs Committee reports that we have carefully considered and recommend for passage: House Bill(s) No(s). 2582 if amended.

We further recommend that, pursuant to **Rule No. 72**, the following be referred to Finance, Ways and Means: House Bill(s) No(s). 1121 if amended.

CLARK, Chair.

Under the rules, House Bill(s) No(s). 2582 with amendment(s) was/were transmitted to the Calendar and Rules Committee.

Pursuant to **Rule No. 72**, the Speaker referred House Bill(s) No(s). 1121 with amendment(s) to the Finance, Ways and Means Committee.

**EDUCATION**  
**April 7, 1992**

MR. SPEAKER: Your Education Committee reports that we have carefully considered and recommend for passage: House Bill(s) No(s). 2173; House Bill(s) No(s). 1734 and 2112 if amended; also, for adoption: House Joint Resolution(s) No(s). 601, 602, 604, 605, 606, 607, 608 and 609.

We further recommend that, pursuant to **Rule No. 72**, the following be referred to Finance, Ways and Means: House Bill(s) No(s). 2420 if amended.

DAVIDSON, Chair.

Under the rules, House Bill(s) No(s). 2173; House Bill(s) No(s). 1734 and 2112 with amendment(s); also, House Joint Resolution(s) No(s). 601, 602, 604, 605, 606, 607, 608 and 609 was/were transmitted to the Calendar and Rules Committee.

Pursuant to **Rule No. 72**, the Speaker referred House Bill(s) No(s). 2420 with amendment(s) to the Finance, Ways and Means Committee.

**FINANCE, WAYS AND MEANS**  
**April 7, 1992**

MR. SPEAKER: Your Finance, Ways and Means Committee reports that we have carefully considered and recommend for passage: House Bill(s) No(s). 1695, 2536 and 2756; also, House Bill(s) No(s). 1055, 1906 and 2496 if amended.

BRAGG, Chair.

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Under the rules, House Bill(s) No(s). 1695, 2536 and 2756; also, House Bill(s) No(s). 1055, 1906 and 2496 with amendment(s) was/were transmitted to the Calendar and Rules Committee.

**GOVERNMENT OPERATIONS**

**April 7, 1992**

MR. SPEAKER: Your Government Operations Committee reports that we have carefully considered and recommend for passage: House Bill(S) No(s). 1774, 1784, 1788, 1796, 1836 and 1838; also, House Bill(s) No(s). 1770, 1776, 1801, 1813, 1824, 1830 and 2065 if amended.

KING, Chair.

Under the rules, House Bill(s) No(s). 1774, 1784, 1788, 1796, 1836 and 1838; also, House Bill(s) No(s). 1770, 1776, 1801, 1813, 1824, 1830 and 2065 with amendment(s) was/were transmitted to the Calendar and Rules Committee.

**JUDICIARY**

**April 7, 1992**

MR. SPEAKER: Your Judiciary Committee reports that we have carefully considered and recommend for passage: House Bill(s) No(s). 2048, 2147, 2150, 2287, 2470, 2553 and 2664; also, House Bill(s) No(s). 1875, 1954, 2035, 2406 and 2426 if amended.

We further recommend that, pursuant to Rule No. 72, the following be referred to Finance, Ways and Means: House Bill(s) No(s). 2148 and 2149; also, House Bill(s) No(s). 2379 and 2672 if amended.

We further report that the following was/were considered but failed to pass: House Bill No. 2089.

BUCK, Chair.

Under the rules, House Bill(s) No(s). 2048, 2147, 2150, 2287, 2470, 2553 and 2664; also, House Bill(s) No(s). 1875, 1954, 2035, 2406 and 2426 with amendment(s) was/were transmitted to the Calendar and Rules Committee.

Pursuant to Rule No. 72, the Speaker referred House Bill(s) No(s). 2148 and 2149; also, House Bill(s) No(s). 2379 and 2672 with amendment(s) to the Finance, Ways and Means Committee.

**STATE AND LOCAL GOVERNMENT**

**April 7, 1992**

MR. SPEAKER: Your State and Local Government Committee reports

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that we have carefully considered and recommend for passage: House Bill(s) No(s). 2223, 2330, 2457, 2477 and 2566; House Bill(s) No(s). 2115 and 2405 if amended; also, for adoption: House Joint Resolution(s) No(s). 512.

We further recommend that, pursuant to **Rule No. 72**, the following be referred to Finance, Ways and Means: House Bill(s) No(s). 2078 and 2411 if amended.

LOVE, Chair.

Under the rules, House Bill(s) No(s). 2223, 2330, 2457, 2477 and 2566; House Bill(s) No(s). 2115 and 2405 with amendment(s); also, House Joint Resolution(s) No(s). 512 was/were transmitted to the Calendar and Rules Committee.

Pursuant to **Rule No. 72**, the Speaker referred House Bill(s) No(s). 2078 and 2411 with amendment(s) to the Finance, Ways and Means Committee.

**ENROLLED BILLS**

**April 7, 1992**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 1841, 1939, 2057, 2059, 2211, 2467, 2502 and 2534; also, House Joint Resolution(s) No(s). 626; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**SIGNED**

**April 7, 1992**

The Speaker announced that he had signed the following: House Bill(s) No(s). 1841, 1939, 2057, 2059, 2211, 2467, 2502 and 2534; also, House Joint Resolution(s) No(s). 626.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**REPORT OF CHIEF ENGROSSING CLERK**

**April 7, 1992**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill(s) No(s). 891, 1662, 1743, 2190, 2246, 2594 and 2702; also, House Joint Resolution(s) No(s). 513, 581, 585, 586, 591, 594, 595, 600 and 624; for his action.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

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**MESSAGE FROM THE SENATE  
April 8, 1992**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1841, 1939, 2057, 2059, 2211, 2467, 2502 and 2534; also, House Joint Resolution(s) No(s). 626; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE  
April 8, 1992**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1662, 1683, 1711, 1734, 1746, 1760, 1835, 1882, 2023, 2047, 2066, 2083, 2093, 2109, 2151, 2213, 2253, 2260, 2451, 2483, 2508 and 2535; also, Senate Joint Resolution(s) No(s). 402, 403, 407, 411, 412, 425, 432, 438 and 440; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**REPORT OF CHIEF ENGROSSING CLERK  
April 8, 1992**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill(s) No(s). 1841, 1939, 2057, 2059, 2211, 2467, 2502 and 2534; also, House Joint Resolution(s) No(s). 626; for his action.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**SIGNED  
April 8, 1992**

The Speaker announced that he had signed the following: Senate Bill(s) No(s). 1662, 1683, 1711, 1734, 1746, 1760, 1835, 1882, 2023, 2047, 2066, 2083, 2093, 2109, 2151, 2213, 2253, 2260, 2451, 2483, 2508 and 2535; also, Senate Joint Resolution(s) No(s). 402, 403, 407, 411, 412, 425, 432, 438 and 440.

**REPORT OF COMMITTEE ON CALENDAR AND RULES  
April 8, 1992**

MR. SPEAKER: Your Calendar and Rules Committee reports that we have met and set the following bills on the **Regular Calendar** for **Monday, April 13, 1992**: House Bill(s) No(s). 1930, 2424, 2114, 1955, 2558, 2450 and 2730.

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We further report that we have met and set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **Monday, April 13, 1992**: House Bill(s) No(s). 1704, 2494, 508 and 2700.

PHILLIPS, Chair.

## **REPORTS FROM STANDING COMMITTEES**

### **CONSERVATION AND ENVIRONMENT**

**April 8, 1992**

MR. SPEAKER: Your Conservation and Environment Committee reports that we have carefully considered and recommend for passage: House Bill(s) No(s). 2634 and 2814; House Bill(s) No(s). 2121 and 2760; also, for concurrence: Senate Joint Resolution(s) No(s). 364.

We further recommend that, pursuant to **Rule No. 72**, the following be referred to Finance, Ways and Means: House Bill(s) No(s). 2760 if amended.

HILLIS, Chair.

Under the rules, House Bill(s) No(s). 2634 and 2814; House Bill(s) No(s). 2121 and 2760 with amendment(s); also, Senate Joint Resolution(s) No(s). 364 was/were transmitted to the Calendar and Rules Committee.

Pursuant to **Rule No. 72**, the Speaker referred House Bill(s) No(s). 2760 with amendment(s) to the Finance, Ways and Means Committee.

### **JUDICIARY**

**April 8, 1992**

MR. SPEAKER: Your Judiciary Committee reports that we have carefully considered and recommend for passage: House Bill(s) No(s). 1727, 1879, 2024, 2455, 2456 and 2517; House Bill(s) No(s). 2460 if amended; for adoption: House Resolution(s) No(s). 160 and 161; also, House Resolution(s) No(s). 159 if amended.

We further recommend that, pursuant to **Rule No. 72**, the following be referred to Finance, Ways and Means: House Bill(s) No(s). 1744 and 2006; also, House Bill(s) No(s). 2515 and 2684 if amended.

We further report that the following was/were considered but failed to pass: House Bill(s) No(s). 1331 and 1959.

BUCK, Chair.

Under the rules, House Bill(s) No(s). 1727, 1879, 2024, 2455, 2456 and 2517; House Bill(s) No(s). 2460 with amendment(s); House Resolution(s) No(s). 160 and 161; also, House Resolution(s) No(s).

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159 with amendment(s) was/were transmitted to the Calendar and Rules Committee.

Pursuant to **Rule No. 72**, the Speaker referred House Bill(s) No(s). 1744 and 2006; also, House Bill(s) No(s). 2515 and 2684 with amendment(s) to the Finance, Ways and Means Committee.

**HEALTH AND HUMAN RESOURCES  
April 8, 1992**

**MR. SPEAKER:** Your Health and Human Resources Committee reports that we have carefully considered and recommend for passage: House Bill(s) No(s). 2047, 2393 and 2482; House Bill(s) No(s). 123, 126, 1920, 2059, 2128 and 2548 if amended; for adoption: House Joint Resolution(s) No(s). 517; also, House Joint Resolution(s) No(s). 518, 520, 521 and 522 if amended.

We further recommend that, pursuant to **Rule No. 72**, the following be referred to Finance, Ways and Means: House Bill(s) No(s). 1740 with amendment(s).

DIXON, Chair.

Under the rules, House Bill(s) No(s). 2047, 2393 and 2482; House Bill(s) No(s). 123, 126, 1920, 2029, 2128 and 2548 with amendment(s); House Joint Resolution(s) No(s). 518; also, House Joint Resolution(s) No(s). 517, 520, 521 and 522 with amendment(s) was/were transmitted to the Calendar and Rules Committee.

Pursuant to **Rule No. 72**, the Speaker referred House Bill(s) No(s). 1740 with amendment(s) to the Finance, Ways and Means Committee.

**REGULAR CALENDAR**

**House Bill No. 1764 -- Drugs --** Provides that claimant who prevails at hearing for return of property seized under drug laws not responsible for payment of expenses incurred in storage and transportation of such property. Amends TCA, Title 53, Ch. 11.

Further consideration of House Bill No. 1764, previously considered on March 19 and 25, 1992, at which time it was reset to the Calendar for April 8, 1992.

Rep. Buck moved that House Bill No. 1764 be reset one week to the Calendar for Wednesday, April 15, 1992, which motion prevailed.

**House Bill No. 2704 -- Sunset Laws --** Tellico Reservoir development agency, June 30, 2000. Amends TCA, Title 4, Ch. 29; Title 64, Ch. 1.

Further consideration of House Bill No. 2704, previously



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considered on March 23 and 25, 1992, at which time it was reset to the Calendar for April 8, 1992.

Rep. King moved that **House Bill No. 2704** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	91
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 91.

A motion to reconsider was tabled.

**\*Senate Bill No. 2620 -- Sunset Laws -- Chickasaw basin** authority, June 30, 2000. Amends TCA, Title 4, Ch. 29; Title 64, Ch. 1.

Further consideration of Senate Bill No. 2620, previously considered on March 25, 1992, at which time it was substituted for House Bill No. 2698 and reset to the Calendar for April 8, 1992.

Rep. King moved that **Senate Bill No. 2620** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullios, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson,

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Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**House Bill No. 2415 -- Criminal Offenses --** Makes it Class B misdemeanor to intentionally throw hard objects at trains, buses, street cars or watercraft. Amends TCA, Title 39, Ch. 14, Pt. 4.

On motion, House Bill No. 2415 was made to conform with Senate Bill No. 2495.

On motion, **Senate Bill No. 2495**, on same subject, was substituted for House Bill No. 2415.

Rep. Whitson moved that **Senate Bill No. 2495** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	95
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Joyce Kent, Kernell, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

**\*House Bill No. 2427 -- Railroads --** Makes destruction of or interference with railroad property Class E felony regardless of property value. Amends TCA, Title 39, Ch. 14, Pt. 4.

Rep. Whitson moved that House Bill No. 2427 be passed on third and final consideration.

Rep. Whitson moved to amend as follows:

**Amendment No. 1**

Amend House Bill No. 2427 by adding the following at the end of Section 1 after the words and punctuation "the general public.":

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Should the destruction or interference place a person in imminent danger of death or serious bodily injury, then it shall be reckless endangerment and punished according to Tennessee Code Annotated, Section 39-13-103. In all other cases, it shall be punished according to the provisions of Tennessee Code Annotated, Section 39-14-408.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Whitson moved that **House Bill No. 2427**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	93
Noes. . . . .	2
Present and not voting. . . . .	2

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

Representatives voting no were: Bragg, Purcell -- 2.

Representatives present and not voting were: Coffey, Fowlkes -- 2.

A motion to reconsider was tabled.

**\*House Bill No. 1707** -- Law Enforcement -- Extends from 15 to 30 days holding period for precious metals held by scrap dealers or pawnbrokers. Amends TCA, Title 38, Ch. 1; Title 45, Ch. 6.

Rep. Napier moved that **House Bill No. 1707** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	96
Noes. . . . .	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles,

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Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

Representatives voting no were: Rinks -- 1.

A motion to reconsider was tabled.

**House Bill No. 1992 --** Correction, Dept. of -- Prohibits management level employee from working as private prison contractor working for state for three years after termination of state service. Amends TCA, Title 41, Ch. 24.

Further consideration of House Bill No. 1992, previously considered on March 19, 25, and April 1, 1992, at which time it was reset to the Calendar for April 8, 1992.

Rep. Rhinehart moved that House Bill No. 1992 be reset one week to the Calendar for Wednesday, April 15, 1992, which motion prevailed.

**House Bill No. 2378 --** Appropriations -- Requires judicial branch budget and appropriations bill be separate to include district attorney general and public defender; requires funding of judicial branch no less than 1990-1991 fiscal year.

Further consideration of House Bill No. 2378, previously considered on March 26 and April 1, 1992, at which time Amendments Nos. 1 and 2 were adopted and the bill was reset to the Calendar for April 9, 1992.

Rep. Buck moved that House Bill No. 2378 be passed on third and final consideration.

Rep. Buck moved to amend as follows:

**Amendment No. 3**

AMEND House Bill No. 2378 by deleting all language following the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section

16-3-803(c), is amended by deleting the second sentence, by designating the remaining language of the subsection as subdivision "(2)", and by inserting the following language, to be designated as subdivision "(1)":

(1) Acting in accordance with procedures established pursuant to Tennessee Code Annotated, Section 9-6-103, the executive secretary of the supreme court shall annually prepare, approve, and submit a budget for the maintenance and operation of the state court system. When the budget for the maintenance and operation of the state court system is submitted to the department of finance and administration, the executive secretary of the supreme court shall also submit copies of such budget to the speaker of the senate and the speaker of the house of representatives for referral and consideration by the appropriate standing committees of the general assembly.

SECTION 2. Tennessee Code Annotated, Section 9-6-105, is amended by adding the following sentence:

Nothing contained in Section 1 of this act or any other law shall be construed to restrict or prohibit the governor's authority to revise the budget, submitted pursuant to Section 1 of this act and Section 9-6-103, for maintenance and operation of the state court system and such budget or revised budget shall be included within the budget document required by this section.

SECTION 3. Tennessee Code Annotated, Section 9-6-106, is amended by adding the following sentence:

The governor shall prepare a report which identifies all revisions proposed in the budget document to the budget, submitted pursuant to Section 1 of this act and Section 9-6-103, for maintenance and operation of the state court system. Such report shall be filed with the speaker of the senate, the speaker of the house of representatives, the chairmen of the senate judiciary committee and the house judiciary committee, and the chairmen of the senate finance, ways and means committee and the house finance, ways and means committee no later than the date on which the budget document is presented to the general assembly. A copy of such report shall also be provided to the executive secretary of the supreme court.

SECTION 4. This act shall take effect on July 1, 1992, the public welfare requiring it.

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On motion, Amendment No. 3 was adopted.

Thereupon, Rep. Buck moved that **House Bill No. 2378**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	96
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

**House Bill No. 2564 -- Recreational Areas --** Allows municipalities to fund municipal recreational systems from general revenues of municipality, user fees, or other lawful services, as well as from property taxes. Amends TCA 11-24-108, 109.

Further consideration of House Bill No. 2564, previously considered on March 30 and April 1, 1992, at which time it was reset to the Calendar for April 8, 1992.

On motion, House Bill No. 2564 was made to conform with Senate Bill No. 2648.

On motion, **Senate Bill No. 2648**, on same subject, was substituted for House Bill No. 2564.

Rep. Byrd moved that **Senate Bill No. 2648** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	96
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis,

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Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullis, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

**House Bill No. 2126** -- County Government -- Increases penalty for violation of county ordinances from \$50 to \$500 and up to 30 days in jail. Amends TCA 5-1-211.

On motion, House Bill No. 2126 was made to conform with Senate Bill No. 2107.

On motion, **Senate Bill No. 2107**, on same subject, was substituted for House Bill No. 2126.

Rep. Severance moved that **Senate Bill No. 2107** be passed on third and final consideration.

On motion of Rep. Severance, Senate Bill No. 2107 was moved 10 spaces down the calendar.

**\*House Bill No. 1669** -- Marriage -- Deletes county executive from list of persons authorized to waive three day waiting period. Amends TCA 36-3-107.

Rep. Holt moved that House Bill No. 1669 be passed on third and final consideration.

Rep. Clark moved to amend as follows:

**Amendment No. 1**

AMEND House Bill No. 1669 by adding the following as new Section 2 and by renumbering the Section 2 in the printed bill accordingly:

SECTION 2. Tennessee Code Annotated, Section 36-3-107(a), is further amended by designating the existing language as subdivision (1) and by adding a new subdivision thereto, as follows:

(2) Provided, in any county with a metropolitan form of government with a population greater than 100,000 the county clerk shall, upon good cause, have the power to suspend the three-day period prescribed in § 36-3-104.

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On motion, Amendment No. 1 was adopted.

Rep. Rhinehart moved to amend as follows:

**Amendment No. 2**

AMEND House Bill No. 1669 adding the following as a new section:

SECTION ( ). The provisions of this act shall be local in effect and shall become effective in a particular county upon a two thirds (2/3) majority vote of the county legislative body.

On motion, Amendment No. 2 was adopted.

Rep. Stamps moved to amend as follows:

**Amendment No. 3**

Amend House Bill No. 1669 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. The provisions of this act shall not apply in counties having a population, according to the 1990 federal census or any subsequent federal census of:

<u>not less than</u>	<u>nor more than</u>
103,100	103,400
44,500	45,000
6,700	6,950

On motion, Amendment No. 3 was adopted.

Thereupon, Rep. Holt moved that **House Bill No. 1669**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	88
Noes. . . . .	0
Present and not voting. . . . .	5

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell,



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Rhinehart, Ridgeway, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, West, Whitson, Williams (Shelby), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 88.

Representatives present not voting were: Fowlkes, Givens, Holcomb, Walley, Williams (Union) -- 5.

A motion to reconsider was tabled.

**\*House Bill No. 1677** -- School Transportation -- Permits school buses to travel at posted highway speed for highway on which bus is traveling. Amends TCA 49-6-2110.

Rep. Holt moved that House Bill No. 1677 be passed on third and final consideration.

Rep. Robinson (Davidson) moved adoption of Transportation Committee Amendment No. 1 as follows:

**Amendment No. 1**

Amend House Bill No. 1677 by deleting the amendatory language in Section 1 and substituting the following:

(b) A school bus transporting pupils to and from school, or on school-sponsored activity trips, shall not exceed posted speed limits or a maximum speed of thirty five miles per hour (35 mph) on unpaved roadways.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Holt moved that **House Bill No. 1677**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	89
Noes. . . . .	3
Present and not voting. . . . .	2

Representatives voting aye were: Allen, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Joyce Kent, Kernell, Kisber, Knight, Liles, Love, McAfee, McDaniel, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby),

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Venable, Walley, West, Whitson, Williams (Shelby), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 89.

Representatives voting no were: Coffey, McKee, Williams (Union) -- 3.

Representatives present and not voting were: Anderson, Holcomb -- 2.

A motion to reconsider was tabled.

**\*House Bill No. 2376** -- Election Laws -- Requires voting machines to be sealed with prenumbered instead of numbered metal seals in preparation of machines for election; authorizes placement of counting board at location other than courthouse. Amends TCA 2-6-116, 2-9-105.

Rep. Holt moved that House Bill No. 2376 be passed on third and final consideration.

Rep. Holt moved to amend as follows:

**Amendment No. 1**

Amend House Bill No. 2376 by deleting the amendatory language of Section 2 in its entirety and replacing it with the following:

"Tennessee Code Annotated, Section 2-6-116(a)(5) is amended by deleting it in its entirety and replacing it with the following:

(5) The counting board shall be located at a location designated by the county election commission. Notice of the location shall be published in conjunction with the notice of election required by §2-12-111(c) and shall not be changed except in the event of an emergency."

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Holt moved that **House Bill No. 2376**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	93
Noes. . . . .	0
Present and not voting. . . . .	2

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Clark, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer,

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Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

Representatives present and not voting were: Coffey, Williams (Union) -- 2.

A motion to reconsider was tabled.

**\*House Bill No. 2081** -- County Government -- Terminates county manager form of government. Amends TCA, Title 5, Ch. 15.

On motion, House Bill No. 2081 was made to conform with Senate Bill No. 2333.

On motion, **Senate Bill No. 2333**, on same subject, was substituted for House Bill No. 2081.

Rep. Haun moved that **Senate Bill No. 2333** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	82
Noes. . . . .	6
Present and not voting. . . . .	5

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Gunnels, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Johnson, Jones, R (Shelby), Jones, U (Shelby), Kent, Kernell, Kisber, Knight, Love, McAfee, McDaniel, Meyer, Moore, Napier, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Shelby), Walley, West, Whitson, Williams (Shelby), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 82.

Representatives voting no were: Givens, Haley, Joyce Niceley, Rinks, Williams (Union) -- 6.

Representatives present and not voting were: Herron, Jackson, Liles, McKee, Venable -- 5.

A motion to reconsider was tabled.

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**\*House Bill No. 2231** -- Motor Vehicles -- Defines "recovered vehicle" as vehicle towed or stored by towing or storing business. Amends TCA 55-5-101.

Rep. Crain moved that **House Bill No. 2231** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	96
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullios, Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

**\*House Bill No. 2229** -- Motor Vehicles -- Requires trucks, truck tractors and livestock trailers manufactured and sold in Tennessee to have vehicle identification number after July 1, 1992. Amends TCA 55-5-106.

On motion, House Bill No. 2229 was made to conform with Senate Bill No. 2484.

On motion, **Senate Bill No. 2484**, on same subject, was substituted for House Bill No. 2229.

Rep. Crain moved that **Senate Bill No. 2484** be passed on third and final consideration.

On motion, Rep. Robinson (Davidson) withdrew Transportation Committee Amendment No. 1.

Rep. Crain moved that **Senate Bill No. 2484** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	85
Noes. . . . .	10

Representatives voting aye were: Allen, Anderson, Armstrong,

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Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Curlee, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Gunnels, Haley, Halteman, Hassell, Haun, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Ridgeway, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, West, Whitson, Williams (Shelby), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 85.

Representatives voting no were: Callicott, Davidson, Givens, Harrill, Head, Rhinehart, Rigsby, Walley, Williams (Union), Wix -- 10.

A motion to reconsider was tabled.

**House Bill No. 2764** -- Private Investigators -- Raises from \$70.00 to \$100 the application fee for private investigators. Amends TCA, Title 62, Ch. 26.

Rep. Haun moved that House Bill No. 2764 be reset one week to the Calendar for Wednesday, April 15, 1992, which motion prevailed.

**House Bill No. 1936** -- Pensions and Retirement Benefits -- Deletes former "county" service by state employee and substitutes "political subdivision" service for credit in TCRS. Amends TCA 8-35-2306.

On motion, House Bill No. 1936 was made to conform with Senate Bill No. 2042.

On motion, **Senate Bill No. 2042**, on same subject, was substituted for House Bill No. 1936.

Rep. Gunnels moved that **Senate Bill No. 2042** be passed on third and final consideration.

Rep. Crain moved to amend as follows:

**Amendment No. 1**

Amend Senate Bill No. 2042 by deleting the amendatory and directory language in Sections 1 and 2 in their entirety and by substituting instead the following:

Section 1. Tennessee Code Annotated, Section 8-35-236(a), is amended by deleting the language before the colon and by substituting instead the following:

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(a) Any member who has one (1) year or more of current membership service in the Tennessee consolidated retirement system shall be entitled to establish retirement credit for time during which such member was employed by a political subdivision if the following conditions are met

Section 2. Tennessee Code Annotated, Section 8-35-236, is amended by deleting the word "county" wherever it may appear and by substituting instead the words "political subdivision".

Section 3. Tennessee Code Annotated, Section 8-35-236(a)(2), is amended by deleting from the second line thereof the words "membership and" in their entirety.

Section 4. Tennessee Code Annotated, Section 8-35-236, is amended by deleting the word "employee" wherever it may appear and by substituting instead the word "member".

Section 5. Tennessee Code Annotated, Section 8-35-236(a)(4), is amended by deleting from the second line thereof the words "membership and" in their entirety, by deleting from the third line thereof the word "employees" and by substituting instead the word "members".

Section 6. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Gunnels moved that **Senate Bill No. 2042**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	95
Noes. . . . .	0
Present and not voting. . . . .	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Napier, Niceley, Nuber, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham,

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Wix, Wood, Mr. Speaker Naifeh -- 95.

Representatives present and not voting were: Hill -- 1.

A motion to reconsider was tabled.

**REQUEST TO CHANGE VOTE**

MR. SPEAKER: Pursuant to **Rule No. 31**, I wish to express a desire to change my original stand from not voting to aye on Senate Bill No. 2042 and have this statement entered in the Journal.

Rep. Ray Hill

**REGULAR CALENDAR, CONTINUED**

**House Bill No. 2631** -- Motor Vehicles, Titling and Registration -- Provides for issuance of license plates bearing distinctive series of letters and numbers to inform law enforcement officers that driver of vehicle is hearing impaired. Amends TCA, Title 55, Ch. 21.

On motion, House Bill No. 2631 was made to conform with Senate Bill No. 2068.

On motion, **Senate Bill No. 2068**, on same subject, was substituted for House Bill No. 2631.

Rep. Cole moved that **Senate Bill No. 2068** be passed on third and final consideration.

On motion, Rep. Robinson (Davidson) withdrew Transportation Committee Amendment No. 1.

On motion, Rep. Robinson (Davidson) withdrew Transportation Committee Amendment No. 2.

On motion, Rep. Robinson (Davidson) withdrew Transportation Committee Amendment No. 3.

Rep. Cole moved that **Senate Bill No. 2068** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	97
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby),

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Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

**\*Senate Bill No. 2107** -- County Government -- Increases penalty for violation of county ordinances from \$50 to \$500 and up to 30 days in jail. Amends TCA 5-1-211.

Further consideration of Senate Bill No. 2107 discussed earlier on today's calendar.

Rep. Severance moved that **Senate Bill No. 2107** be passed on third and final consideration.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

Rep. Severance moved that **Senate Bill No. 2107** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	93
Noes. . . . .	0
Present and not voting. . . . .	3

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Coffey, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

Representatives present and not voting were: Givens, Nuber, Rigsby -- 3.

A motion to reconsider was tabled.



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**House Bill No. 2385** -- Budget Procedures -- Authorizes appropriations from natural resources trust fund for Tennessee Flora Project. Amends TCA, Title 11, Ch. 14.

On motion, House Bill No. 2385 was made to conform with Senate Bill No. 2416.

On motion, **Senate Bill No. 2416**, on same subject, was substituted for House Bill No. 2385.

Rep. Curlee moved that **Senate Bill No. 2416** be passed on third and final consideration.

On motion, Rep. Davis (Gibson) withdrew Agriculture Committee Amendment No. 1.

Rep. Curlee moved that **Senate Bill No. 2416** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	92
Noes. . . . .	0
Present and not voting. . . . .	3

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Hassell, Haun, Head, Herron, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 92.

Representatives present and not voting were: Hill, Rigsby, Tullos -- 3.

A motion to reconsider was tabled.

**House Bill No. 2423** -- Motor Vehicles -- Sets fine of \$5.00 for initial violation of seat belt law, rather than warning citation. Amends TCA 55-9-603.

Rep. Tindell moved that House Bill No. 2423 be passed on third and final consideration.

Rep. Severance moved the previous question, which motion prevailed.

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Rep. Tindell moved passage of **House Bill No. 2423** on third and final consideration, which motion failed by the following vote:

Ayes. . . . .	28
Noes. . . . .	58
Present and not voting. . . . .	7

Representatives voting aye were: Allen, Armstrong, Bivens, Bragg, Byrd, Chumney, Fowlkes, Givens, Haley, Hubbard, Johnson, Jones, R (Shelby), Jones, U (Shelby), Kernell, King, Kisber, Knight, Napier, Nuber, Rigsby, Rinks, Robinson (Davidson), Stamps, Tindell, Turner (Shelby), Venable, Williams (Shelby), Mr. Speaker Naifeh -- 28.

Representatives voting no were: Anderson, Arriola, Bell, Buck, Callicott, Chiles, Clark, Cole, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Duer, Ferguson, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Hill, Hillis, Holcomb, Holt, Huskey, Jackson, Joyce Kent, Liles, Love, McAfee, McKee, Moore, Niceley, Odom, Peroulas Draper, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Washington), Severance, Shirley, Sipes, Tullos, Walley, West, Whitson, Williams (Union), Windle, Winningham, Wix, Wood -- 58.

Representatives present and not voting were: Coffey, Collier, Dixon, Hargrove, McDaniel, Pinion, Robinson (Hamilton) -- 7.

Having received a constitutional majority in the negative, pursuant to **Rule No. 63**, Mr. Speaker Naifeh entertained a motion to reject House Bill No. 2423. Seeing none, the bill was re-referred to the Calendar and Rules Committee.

**House Bill No. 2107 -- Firearms and Ammunition -- Authorizes TBI director to dispose of confiscated weapons. Amends TCA 39-17-1317.**

Rep. Wix moved that **House Bill No. 2107** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	96
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West,

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Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

**\*House Bill No. 2647** -- Highway Signs -- Clarifies provisions relative to vandalism. Amends TCA 39-14-412.

On motion, House Bill No. 2647 was made to conform with Senate Bill No. 2754.

On motion, **Senate Bill No. 2754**, on same subject, was substituted for House Bill No. 2647.

Rep. Wix moved that **Senate Bill No. 2754** be passed on third and final consideration.

Rep. Robinson (Davidson) moved adoption of Transportation Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 2754 by deleting Section 1 in its entirety and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-14-412, is amended by deleting subsection (a) in its entirety and by substituting instead the following:

(a) It is an offense for any person to knowingly damage, destroy, remove or otherwise tamper with a residential mailbox or other container such person knows or reasonably should know is used for the receipt or deposit of United States mail. Any person convicted of violating this subsection shall be sentenced to not less than twenty-five (25) hours of public service work.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Wix moved that **Senate Bill No. 2754**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	95
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis,

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Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Moore, Napier, Niceley, Nuber, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

**\*House Bill No. 1656** -- Financial Disclosure -- Requires person or organization and person heading such organization to be identified as purchaser of political communication expressly advocating a political position. Amends TCA, Title 2, Ch. 19, Pt. 1.

On motion, House Bill No. 1656 was made to conform with Senate Bill No. 1687.

On motion, **Senate Bill No. 1687**, on same subject, was substituted for House Bill No. 1656.

Rep. Bragg moved that **Senate Bill No. 1687** be passed on third and final consideration.

On motion, Rep. Love withdrew State and Local Government Committee Amendment No. 1.

On motion, Rep. Love withdrew State and Local Government Committee Amendment No. 2.

Rep. Bragg moved that **Senate Bill No. 1687** be passed on third and final consideration.

Rep. Odom moved the previous question, which motion prevailed.

Rep. Bragg moved that **Senate Bill No. 1687** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	93
Noes. . . . .	1
Present and not voting. . . . .	2

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas

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Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

Representatives voting no were: Kernell -- 1.

Representatives present and not voting were: Nuber, Tullos -- 2.

A motion to reconsider was tabled.

**\*Senate Bill No. 2197** -- Motor Vehicles -- Authorizes solid waste transporters to park on road as necessary to collect solid waste from customers. Amends TCA, Title 55, Ch. 8.

Further consideration of Senate Bill No. 2197, previously considered on April 2, 1992, at which time it was substituted for House Bill No. 2355; Amendments Nos. 2, 3 and 5 were adopted; Amendment No. 1 was withdrawn; Amendment No. 4 was tabled; a motion to reconsider Amendment No. 3 was tabled; then the bill was reset to the Calendar for April 9, 1992.

Rep. Buck moved that **Senate Bill No. 2197** be passed on third and final consideration.

Rep. Nuber moved to amend as follows:

**Amendment No. 6**

Amend Senate Bill No. 2197 by deleting the period (.) following the word "standing" in Section 2 and Section 3, and by adding the following new language:

provided the vehicle is stopped so that a clear view of such stopped vehicle shall be available from a distance of two hundred feet (200') in either direction upon the highway.

On motion, Amendment No. 6 was adopted.

Rep. Jackson moved to amend as follows:

**Amendment No. 7**

Amend Senate Bill No. 2197 by deleting from the last sentence of Section 2 as amended by House Amendment Number 3 the words "department of transportation" and by inserting instead the words "public service commission".

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On motion, Amendment No. 7 was adopted.

Rep. Buck moved that **Senate Bill No. 2197** as amended, be passed on third and final consideration.

Rep. Rhinehart moved the previous question, which motion prevailed.

Thereupon, Rep. Buck moved that **Senate Bill No. 2197**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	80
Noes. . . . .	12
Present and not voting. . . . .	3

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bivens, Bragg, Buck, Byrd, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Ferguson, Fowlkes, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hillis, Holcomb, Holt, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Love, McDaniel, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), West, Whitson, Williams (Shelby), Wix, Wood, Mr. Speaker Naifeh -- 80.

Representatives voting no were: Callicott, Chiles, Duer, Givens, Hill, Liles, McKee, Rigsby, Walley, Williams (Union), Windle, Winningham -- 12.

Representatives present and not voting were: Hubbard, Sipes, Venable -- 3.

A motion to reconsider was tabled.

**CHAIR TO DEBERRY**

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker Pro Tempore.

**REGULAR CALENDAR, CONTINUED**

**\*House Bill No. 2612** -- Real Estate Agents and Brokers -- Permits real estate salesmen and brokers to be members of real estate appraisers commission; restricts appraisal from including evaluation of real property collateral or other document prepared to conform with regulatory requirements of financial institution. Amends TCA, Title 62, Ch. 39.

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Further consideration of House Bill No. 2612, previously considered on March 25 and April 2, 1992, at which time it was reset to the Calendar for April 8, 1992.

On motion, House Bill No. 2612 was made to conform with Senate Bill No. 2750.

On motion, **Senate Bill No. 2750**, on same subject, was substituted for House Bill No. 2612.

Rep. West moved that **Senate Bill No. 2750** be passed on third and final consideration.

On motion, Rep. Rhinehart withdrew Commerce Committee Amendment No. 1.

Rep. Shirley moved to amend as follows:

**Amendment No. 2**

Amend Senate Bill No. 2750 by deleting Section 1 in its entirety and by renumbering subsequent sections accordingly.

Rep. West moved that Amendment No. 2 be tabled, which motion prevailed by the following vote:

Ayes. . . . .	49
Noes. . . . .	28
Present and not voting. . . . .	3

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bivens, Buck, Chiles, Clark, Coffey, Cole, Crain, Curlee, Davidson, Davis (Cocke), Davis (Knox), Duer, Halteman, Hargrove, Herron, Hillis, Holt, Hubbard, Huskey, Jackson, Johnson, Kent, Kisber, Knight, Love, Moore, Odom, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Tindell, West, Whitson, Williams (Shelby), Windle, Winningham, Mr. Speaker Naifeh -- 49.

Representatives voting no were: Byrd, Callicott, Chumney, Ferguson, Fowlkes, Givens, Gunnels, Haley, Harrill, Hassell, Haun, Head, Hill, Holcomb, Jones, R (Shelby), Joyce McAfee, McDaniel, Meyer, Niceley, Shirley, Sipes, Stamps, Tullos, Venable, Walley, Williams (Union), Wood -- 28.

Representatives present and not voting were: Napier, Rigsby, Turner (Shelby) -- 3.

Rep. Shirley moved to amend as follows:

**Amendment No. 3**

Amend Senate Bill No. 2750 by deleting from the bill the language which reads as follows:

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Section 3. Tennessee Code Annotated, Section 62-39-102, is amended by deleting item (2) in its entirety and by substituting instead the following:

(2) "Appraisal" means a written or oral statement independently and impartially prepared by a state-licensed or state-certified appraiser setting forth an opinion as to the market value of an adequately described property as of a specific date(s), supported by the presentation and analysis of relevant market information prepared in conformity with the uniform standards of professional appraisal practice.

Rep. West moved that Amendment No. 3 be tabled, which motion prevailed by the following vote:

Ayes. . . . .	49
Noes. . . . .	30
Present and not voting. . . . .	5

Representatives voting aye were: Allen, Anderson, Bell, Bivens, Bragg, Chiles, Clark, Coffey, Cole, Collier, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Fowlkes, Givens, Halteman, Hargrove, Head, Hill, Hillis, Holt, Hubbard, Huskey, Jackson, Johnson, Kent, King, Kisber, McKee, Moore, Odom, Phillips, Pinon, Pruitt, Purcell, Ridgeway, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Tindell, Turner (Hamilton), West, Wix, Mr. Speaker Naifeh -- 49.

Representatives voting no were: Armstrong, Arriola, Buck, Byrd, Callicott, Crain, Duer, Ferguson, Gunnels, Haley, Harrill, Hassell, Haun, Holcomb, Jones, R (Shelby), Joyce McAfee, McDaniel, Meyer, Niceley, Shirley, Sipes, Stamps, Tullios, Venable, Whitson, Williams (Shelby), Williams (Union), Windle, Wood -- 30.

Representatives present and not voting were: Herron, Knight, Napier, Rigsby, Turner (Shelby) -- 5.

Rep. West moved that **Senate Bill No. 2750** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	86
Noes. . . . .	3
Present and not voting. . . . .	4

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love,



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McAfee, McDaniel, McKee, Meyer, Moore, Napier, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rinks, Robinson (Hamilton), Robinson (Washington), Severance, Sipes, Tindell, Tullos, Turner (Hamilton), Venable, Walley, West, Whitson, Williams (Shelby), Windle, Wix, Wood, Mr. Speaker Naifeh -- 86.

Representatives voting no were: Haun, Head, Shirley -- 3.

Representatives present and not voting were: Byrd, Rigsby, Turner (Shelby), Williams (Union) -- 4.

A motion to reconsider was tabled.

**House Bill No. 2535** -- Unemployment Compensation -- Modifies portions of employment security law. Amends TCA 50-7-207, 213, 50-7-303, 304, 50-7-401, 403.

Further consideration of House Bill No. 2535, previously considered on the Consent Calendar April 6, 1992, at which time it was reset to the Calendar for April 9, 1992.

On motion, House Bill No. 2535 was made to conform with Senate Bill No. 2536.

On motion, **Senate Bill No. 2536**, on same subject, was substituted for House Bill No. 2535.

Rep. Pinion moved that **Senate Bill No. 2536** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	96
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

**House Bill No. 2430** -- Highway Signs -- Forbidden Caverns, I-40.

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Further consideration of House Bill No. 2430, previously considered on the Consent Calendar April 6, 1992, at which time it was reset to the Calendar for April 9, 1992.

On motion, House Bill No. 2430 was made to conform with Senate Bill No. 2558.

On motion, **Senate Bill No. 2558**, on same subject, was substituted for House Bill No. 2430.

Rep. Davis (Cocke) moved that **Senate Bill No. 2558** be passed on third and final consideration.

Rep. Armstrong moved to amend as follows:

**Amendment No. 1**

Amend Senate Bill No. 2558 by deleting the period (.) at the end of Section 1 of the printed bill and by adding the following new language and punctuation thereto:

and the erection of such signs for the "Old City Historical District" in Knoxville on Interstate 40 at exit 388.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Davis (Cocke) moved that **Senate Bill No. 2558**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**WEDNESDAY, APRIL 8, 1992 -- EIGHTY-FIRST LEGISLATIVE DAY**

**House Bill No. 2261** -- Alcoholic Beverages -- Authorizes sale of liquor by the drink at public aquarium in Hamilton County; establishes \$300 privilege tax. Amends TCA, Title 57, Ch. 4.

Further consideration of House Bill No. 2261, previously considered on the Consent Calendar for April 6, 1992, at which time it was reset to the Calendar for April 9, 1992.

On motion, House Bill No. 2261 was made to conform with Senate Bill No. 1965.

On motion, **Senate Bill No. 1965**, on same subject, was substituted for House Bill No. 2261.

Rep. Robinson (Hamilton) moved that **Senate Bill No. 1965** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	56
Noes. . . . .	29
Present and not voting. . . . .	5

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bivens, Buck, Chiles, Chumney, Clark, Coffey, Cole, Collier, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Haun, Head, Hill, Holt, Hubbard, Huskey, Jones, R (Shelby), Jones, U (Shelby), Kent, Kernell, King, Kisber, Knight, Love, Meyer, Napier, Peroulas Draper, Pruitt, Purcell, Rhinehart, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Tindell, Turner (Hamilton), Turner (Shelby), Venable, West, Whitson, Williams (Shelby), Winningham, Wix, Mr. Speaker Naifeh -- 56.

Representatives voting no were: Bell, Bragg, Byrd, Callicott, Copeland, Ferguson, Fowlkes, Haley, Halteman, Harrill, Herron, Hillis, Holcomb, Jackson, Joyce Liles, McAfee, McDaniel, McKee, Moore, Phillips, Pinion, Ridgeway, Sipes, Stamps, Tullos, Walley, Windle, Wood -- 29.

Representatives present and not voting were: Givens, Gunnels, Johnson, Rigsby, Williams (Union) -- 5.

A motion to reconsider was tabled.

**REQUEST TO CHANGE VOTE**

**MR. SPEAKER:** Pursuant to **Rule No. 31**, I wish to express a desire to change my original stand from aye to no on Senate Bill No. 1965 and have this statement entered in the Journal.

Rep. Peggy Knight

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**REGULAR CALENDAR, CONTINUED**

**House Bill No. 2262** -- Alcoholic Beverages -- Authorizes operation of microbrewery in Hamilton County. Amends TCA 57-5-101.

Further consideration of House Bill No. 2261, previously considered on the Consent Calendar April 6, 1992, at which time it was reset to the Calendar for April 9, 1992.

On motion, House Bill No. 2262 was made to conform with Senate Bill No. 1998.

On motion, **Senate Bill No. 1998**, on same subject, was substituted for House Bill No. 2262.

Rep. Robinson (Hamilton) moved that Senate Bill No. 1998 be reset one week to the Calendar for Wednesday, April 15, 1992, which motion prevailed.

**House Bill No. 2452** -- Bradley County -- Gives hospital board authority to acquire or lease property related to business of hospital and to make health care services available; makes revenues from operation of hospital used for capital projects and health care services to indigents after expenses and bond payments.

Further consideration of House Bill No. 2452, previously considered on the Consent Calendar April 6, 1992, at which time to the Calendar for April 8, 1992.

Rep. Bivens moved that House Bill No. 2452 be reset one week to the Calendar for Wednesday, April 15, 1992, which motion prevailed.

**House Bill No. 2668** -- Motor Vehicles, Titling and Registration -- Authorizes issuance of special license plates for Exchange Club members for \$25.00 fee. Amends TCA, Title 55, Ch. 4.

Further consideration of House Bill No. 2668, previously considered on the Consent Calendar April 6, 1992, at which time it was reset to the Calendar for April 8, 1992.

Rep. Haun moved that House Bill No. 2668 be reset one week to the Calendar for Wednesday, April 15, 1992, which motion prevailed.

**\*House Bill No. 1719** -- Civil Service -- Authorizes a state employee under civil service to have a union representative to represent him in grievance hearing before civil service commission. Amends TCA, Title 8, Ch. 30, Pt. 3.

Further consideration of House Bill No. 1719, previously considered on April 1, 1992, at which time it was reset to the Calendar for April 8, 1992.

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Rep. Windle moved that House Bill No. 1719 be passed on third and final consideration.

On motion, Rep. Love withdrew State and Local Government Committee Amendment No. 1.

Rep. Davidson requested that Amendment No. 2 be moved to the heel of the Amendments.

Rep. Windle moved to amend as follows:

**Amendment No. 3**

AMEND House Bill No. 1719 by deleting all of the language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee code Annotated, Section 8-30-328(a), is amended by adding the following new subdivision:

( ) At the informal hearing before the appointing authority, an attorney or a representative of an employee may speak on behalf of the employee.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 3 was adopted.

Rep. Davidson moved that **Amendment No. 2** be withdrawn, which motion prevailed.

Thereupon, Rep. Windle moved that **House Bill No. 1719**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	85
Noes. . . . .	4
Present and not voting. . . . .	5

Representatives voting aye were: Allen, Armstrong, Arriola, Bell, Bivens, Bragg, Buck, Byrd, Callicott, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holt, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Love, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rinks, Robinson (Davidson), Robinson (Hamilton), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Walley, West, Whitson, Williams

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(Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 85.

Representatives voting no were: Chiles, Liles, McAfee, Robinson (Washington) -- 4.

Representatives present and not voting were: Davis (Knox), Holcomb, Hubbard, Rigsby, Venable -- 5.

A motion to reconsider was tabled.

**REQUEST TO CHANGE VOTE**

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from no to aye on House Bill No. 1719 and have this statement entered in the Journal.

Rep. Bill McAfee

**REQUEST TO CHANGE VOTE**

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from not voting to no on Senate Bill No. 2750 and have this statement entered in the Journal.

Rep. Randy Stamps

**MESSAGE CALENDAR**

**HOUSE ACTION ON SENATE AMENDMENTS**

**House Bill No. 2734 -- Driver Licenses --** Removes restriction concerning offenses involving mandatory revocation from requirements for commercial driver license. Amends TCA, Title 55, Ch. 50.

**Senate Amendment No. 2**

AMEND House Bill No. 2734 by adding the following new section before the effective date section and by renumbering the effective date section accordingly:

SECTION ( ). Tennessee Code Annotated, Section 55-50-504, is amended by adding the at the end of the section the following new subsection:

( ) If the court suspends the prosecution and dismisses the charges pursuant to the provision of Tennessee Code Annotated, Sections 40-15-102 - 40-15-105, and 40-31-101(a)(3) - (c)(3) or for any other pretrial diversion program, the court shall forward to the department a record of such dismissal

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or diversion action. Such person will then be required to meet the financial responsibility requirements pursuant to Title 55, Chapter 12 prior to the reinstatement of any driving privileges.

Rep. Head moved that the House concur in Senate Amendment(s) No(s). 2 to **House Bill No. 2734**, which motion prevailed by the following vote:

Ayes. . . . .	69
Noes. . . . .	20
Present and not voting. . . . .	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bivens, Bragg, Buck, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Fowlkes, Hargrove, Harrill, Hassell, Head, Hill, Hillis, Holt, Hubbard, Huskey, Jackson, Jones, R (Shelby), Jones, U (Shelby), Kent, Kernell, King, Kisber, McAfee, McDaniel, Meyer, Moore, Napier, Niceley, Peroulas Draper, Phillips, Pinion, Pruitt, Rhinehart, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Tindell, Turner (Hamilton), Turner (Shelby), Venable, West, Whitson, Williams (Shelby), Windle, Wix, Mr. Speaker Naifeh -- 69.

Representatives voting no were: Byrd, Duer, Ferguson, Givens, Gunnels, Haley, Halteman, Haun, Herron, Holcomb, Johnson, Liles, Purcell, Sipes, Stamps, Tullos, Walley, Williams (Union), Winningham, Wood -- 20.

Representatives present and not voting were: Knight -- 1.

A motion to reconsider was tabled.

**CHAIR TO SPEAKER**

Mr. Speaker Naifeh resumed the Chair.

**UNFINISHED BUSINESS**

**BILLS RECALLED**

The Speaker directed that the following bills, referred to committee prior to having House Bill companions, be recalled from the Committee as noted and held on the Clerk's desk:

Senate Bill No. 1776: State and Local Government

Senate Bill No. 1768: Transportation

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**RULES SUSPENDED**

Rep. Williams (Union) moved that the rules be suspended for the purpose of introducing House Resolution No. 183 out of order, which motion prevailed.

**House Resolution No. 0183** -- General Assembly, Directed Studies -- Encourages TWRA to determine number of striped bass fishermen and program's cost benefits. by \*Williams M.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Williams (Union), the resolution was adopted.

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. Jackson moved to suspend **Rule No. 81(13)**, relative to the time for placing bills on notice in Committee, so that all bills recommended out of the Medicaid subcommittee can be heard by the Health and Human Resources Committee on Wednesday, April 15, 1992, which motion prevailed.

**RULES SUSPENDED**

Rep. Bragg moved to suspend **Rule No. 81(1)**, relative to the time for placing bills on notice in Committee, so that House Bill No. 2599 can be heard by the Mental Health Subcommittee on Tuesday, April 14, 1992, which motion prevailed.

**NOTICE TO ACT ON SENATE MESSAGES**

Pursuant to **Rule No. 59**, the sponsor(s) gave notice of intent to consider the following measure(s) from the Senate on Thursday, April 9, 1992:

**Senate Bill No. 302:** Rep. Chiles.

**House Bill No. 602:** Rep. Davis (Cocke).

**RULES SUSPENDED**

Rep. Rhinehart moved to suspend **Rule No. 81(13)**, relative to the time for placing bills on notice in Committee, so that bills recommended out of the Revenue and Expenditures subcommittee on Monday night, April 13, 1992, can be heard by the Finance, Ways and Means Committee on Tuesday, April 14, 1992, which motion prevailed.



**RULES SUSPENDED**

Rep. Buck moved to suspend **Rule No. 81(13)**, relative to the time for placing bills on notice in Committee, so that all bills recommended out of subcommittees can be heard by the Judiciary Committee on Tuesday, April 14, 1992, which motion prevailed.

**RULES SUSPENDED**

Rep. Dixon moved to suspend **Rule No. 81(13)**, relative to the time for placing bills on notice in Committee, so that all bills recommended by Mental Health subcommittee can be heard by the Health and Human Resources Committee on Wednesday, April 15, 1992, which motion prevailed.

**RULES SUSPENDED**

Rep. R. Jones moved to suspend **Rule No. 81(1)**, relative to the time for placing bills on notice in Committee, so that bills can be placed on notice until 5:00 p.m. in the Election subcommittee of State and Local Government Committee, which motion prevailed.

**RULES SUSPENDED**

Rep. DeBerry moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 648 out of order, which motion prevailed.

**House Joint Resolution No. 0648 -- Memorials, Public Service --**  
Viola Harris McFerren. by \*Naifeh, \*DeBerry.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. DeBerry, with the request that all members voting aye be added as sponsors, the resolution was adopted by the following vote:

Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bivens, Bragg, Buck, Byrd, Callicott, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton),

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Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**COMMUNICATION**

April 7, 1992

Chief Clerk's Office  
Tennessee House of Representatives  
Capitol  
Nashville, TN 37219

RE: Amendment to Proposed Tennessee  
Rules of Civil Procedure

Dear Sir:

Attached hereto please find a certified copy of an order signed by the Honorable Lyle Reid, Chief Justice of the Tennessee Supreme Court, dated and filed April 7, 1992, in the office of A. B. Neil, Jr., Clerk of the Supreme Court in Nashville, Tennessee, whereby the proposed amendment to Rule 15.02 captioned Amendment to Confirm to the Evidence and which proposed amendment was filed with your office under date of January 7, 1992, is hereby withdrawn.

Pursuant to Tennessee Code Annotated 16-3-402, et seq., on behalf of the Chief Justice of the Supreme Court of Tennessee, I hereby file with your office said order.

If you have any questions, please advise.

With kindest personal regards, I remain

Very sincerely yours,  
/s/CLETUS W. McWILLIAMS  
Executive Secretary to the  
Tennessee Supreme Court

**SPONSORS ADDED**

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Bill No. 1387:** Rep(s). Rhinehart as prime sponsor(s).

**House Bill No. 2039:** Rep(s). Gunnels as prime sponsor(s).

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**House Bill No. 2143:** Rep(s). Herron as prime sponsor(s).

**House Bill No. 2385:** Rep(s). Kernell as prime sponsor(s).

**House Bill No. 2415:** Rep(s). Sipes and Peroulas Draper as prime sponsor(s).

**House Bill No. 2427:** Rep(s). Sipes and Peroulas Draper as prime sponsor(s).

**House Bill No. 2433:** Rep(s). Turner (Hamilton) as prime sponsor(s).

**House Bill No. 2496:** Rep(s). Ridgeway as prime sponsor(s).

**House Bill No. 2519:** Rep(s). Walley and McDaniel as prime sponsor(s).

**House Bill No. 2564:** Rep(s). Hargrove as prime sponsor(s).

**House Bill No. 2632:** Rep(s). Hargrove as prime sponsor(s).

**House Bill No. 2684:** Rep(s). Herron as prime sponsor(s).

**House Bill No. 2765:** Rep(s). Williams (Shelby) and Turner (Hamilton) as prime sponsor(s).

**House Resolution No. 179:** Rep(s). Allen, Haun, Robinson (Washington) and Whitson as prime sponsor(s).

**House Resolution No. 180:** Rep(s). Haun, Robinson (Washington), and Whitson as prime sponsor(s).

**INTRODUCTION OF RESOLUTIONS**

On motion, the resolution(s) listed was/were introduced and referred as noted:

**House Joint Resolution No. 0632** -- Memorials, Public Service -- Ann Manners. by \*Ridgeway, \*Collier.

Referred by the Speaker to the Calendar and Rules Committee.

**\*House Joint Resolution No. 0633** -- General Assembly, Directed Studies -- Directs Department of Safety to conduct a study of personalized license plates. by \*Robinson Robb.

Referred by the Speaker to the Calendar and Rules Committee.

**House Joint Resolution No. 0636** -- Memorials, Sports -- Oakland High School boys' basketball team. by \*Bragg.

Referred by the Speaker to the Calendar and Rules Committee.

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**House Joint Resolution No. 0637** -- Memorials, Sports -- Black Fox Elementary School Hot Shots fitness team. by \*Bragg.

Referred by the Speaker to the Calendar and Rules Committee.

**House Joint Resolution No. 0638** -- Memorials, Sports -- Lascassas Elementary School boys' and girls' basketball teams. by \*Bragg.

Referred by the Speaker to the Calendar and Rules Committee.

**House Joint Resolution No. 0639** -- Memorials, Sports -- Kittrell Elementary School girls' basketball team. by \*Bragg.

Referred by the Speaker to the Calendar and Rules Committee.

**House Joint Resolution No. 0640** -- Memorials, Sports -- Kittrell Elementary School cheerleaders. by \*Bragg.

Referred by the Speaker to the Calendar and Rules Committee.

**SENATE JOINT RESOLUTIONS  
(Congratulatory and Memorializing)**

On motion, the resolutions listed were referred as noted:

**Senate Joint Resolution No. 0439** -- Memorials, Interns -- Dana Marguerite Brown.

Referred by the Speaker to the Calendar and Rules Committee.

**RESOLUTIONS LYING OVER**

On motion, the resolutions(s) listed was/were referred as noted:

**Senate Joint Resolution No. 0321** -- Memorials, Government Officials -- Directs department of financial institutions to study need for state to examine bank holding companies and to monitor actions of Congress in regulation of banks and bank holding companies.

Referred by the Speaker to the Calendar and Rules Committee.

**\*Senate Joint Resolution No. 0390** -- Highway Signs -- "Lakewood City Parkway," portion of SR 45.

Referred by the Speaker to the Calendar and Rules Committee.

**\*Senate Joint Resolution No. 0400** -- Highway Signs -- "Ringgold Mill Bridge," U.S. 41A, Montgomery County.

Referred by the Speaker to the Calendar and Rules Committee.

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**\*Senate Joint Resolution No. 0404** -- Highway Signs -- "Governor DeWitt Clinton Senter Parkway," S.R. 160.

Referred by the Speaker to the Calendar and Rules Committee.

**\*Senate Joint Resolution No. 0417** -- General Assembly, Confirmation of Appointment -- W. R. Sain, Jr., Tennessee Wildlife Resources Commission.

Referred by the Speaker to the Calendar and Rules Committee.

**INTRODUCTION OF BILLS**

On motion, the following bills were introduced and passed first consideration:

**House Bill No. 2837** -- Clarksville -- Revises charter. Amends Chapter 292, Private Acts of 1957, as amended. by \*Knight.

Passed first consideration.

**House Bill No. 2839** -- Weakley County -- Requires building permits for erection, construction or alteration of building or structure. by \*Herron, \*Pinion.

Passed first consideration.

**SENATE BILLS ON FIRST CONSIDERATION**

On motion, the bill(s) listed were introduced and passed first consideration:

**Senate Bill No. 2505** -- Auditing -- Provides that association captive insurance company not be required to perform audit of annual statutory financial statements by independent certified public accountant unless within 90 days before close of fiscal year requested by majority of members.

Passed first consideration.

**SENATE BILLS TRANSMITTED**

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk as noted:

**\*Senate Bill No. 2170** -- Local Education Agency -- Revises apportionment of local education funds. Amends TCA 49-3-315. (HB 2284).

Held pending third consideration of companion House Bill.

**\*Senate Bill No. 2233** -- Real Property -- Extends period of time

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from one to three years that correction of property assessment must be made. Amends TCA 65-5-509. (HB 2192).

Held pending third consideration of companion House Bill.

**Senate Bill No. 2292** -- District Attorneys -- Allows use of collected funds for payment of salary of district attorney general's office under certain circumstances. Amends TCA, Title 40, Ch. 3, Pt. 2. (\*HB 2048).

Held pending third consideration of companion House Bill.

**\*Senate Bill No. 2306** -- Insurance, Health, Accident -- Requires insurance companies issuing health and accident insurance to adopt standardized CPT Codes for patient billing that conforms to billing code requirements of Medicare and Medicaid. Amends TCA, Title 56. (HB 2299).

Held pending third consideration of companion House Bill.

**Senate Bill No. 2435** -- Workers' Compensation -- Authorizes injured employees with temporary total disability to receive greater amount than established by law, with such greater amount deducted from any later workers' compensation award or settlement. Amends TCA, Title 50, Ch. 6, Pt. 2. (\*HB 2117).

Held pending third consideration of companion House Bill.

**\*Senate Bill No. 2438** -- Veterans -- Creates World War II Tennessee Maneuvers Commission; appropriates funds. (HB 2223).

Held pending third consideration of companion House Bill.

**\*Senate Bill No. 2537** -- Driver Licenses -- Establishes new requirements; prorates fees for 5 year renewal cycles. Amends TCA 55-12-138; Title 55, Ch. 50. (HB 2523).

Held pending third consideration of companion House Bill.

**\*Senate Bill No. 2669** -- Insurance Companies, Agents, Brokers -- Removes attorney-in-fact for subscribers of reciprocal insurance from definition of "managing general agent". Amends TCA 56-6-502. (HB 2578).

Held pending third consideration of companion House Bill.

**Senate Bill No. 2697** -- Workers' Compensation -- Provides that workers' compensation benefits will not be denied to a subcontractor or his employee, when the contractor has accepted payment to so extend coverage, based solely on the failure to reduce the agreement to writing and/or to notify department of labor. Amends TCA, Title 50, Ch. 6. (\*HB 2582).

Held pending third consideration of companion House Bill.

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**REPORT OF COMMITTEE ON CALENDAR AND RULES  
CONSENT CALENDAR  
April 8, 1992**

MR. SPEAKER: The officers of your Calendar and Rules Committee report that we have set the following bill(s) and/or resolution(s) on the **Consent Calendar for Monday, April 13, 1992**: House Joint Resolution(s) No(s). 632, 636, 637, 638, 639 and 640; Senate Joint Resolution(s) No(s). 439.

PHILLIPS, Chair.

**MESSAGE FROM THE SENATE  
April 8, 1992**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 620; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**ENGROSSED BILLS  
April 8, 1992**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 1669, 1677, 1707, 2107, 2231, 2376, 2378, 2427 and 2704; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE  
April 8, 1992**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1919, 2118, 2697, 2699, 2711, 2809, 2813, 2815, 2817, 2824 and 2826; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**ENGROSSED BILLS  
April 8, 1992**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 1719; also, House Joint Resolution(s) No(s). 648; and find same correctly

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engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**  
**April 8, 1992**

MR SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1897; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**  
**April 8, 1992**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2431; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**  
**April 8, 1992**

MR SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2755; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**  
**April 8, 1992**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1858, 1898, 1905, 1906, 1908, 1911, 1934, 2221 and 2485; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**\*Senate Bill No. 1858** -- Sunset Laws -- Board of optometry, June 30, 1999. Amends TCA, Title 4, Ch. 29; Title 63, Ch. 8; Title 68, Ch. 1. by \*Hicks, Cooper, McKnight.

**\*Senate Bill No. 1898** -- Sunset Laws -- Solid waste disposal control board, June 30, 1999. Amends TCA, Title 4, Ch. 29; Title 7, Ch. 54; Title 68, Chs. 31, 46. by \*Hicks.

**\*Senate Bill No. 1905** -- Sunset Laws -- Board of examiners for nursing home administrators, June 30, 1999. Amends TCA, Title 4,



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Ch. 29; Title 63, Ch. 16; Title 68, Ch. 11. by \*Hicks.

**\*Senate Bill No. 1906** -- Sunset Laws -- Board of dispensing opticians, June 30, 1999. Amends TCA, Title 4, Chs. 3, 29; Title 63, Chs. 8, 14; Title 68, Ch. 1. by \*Hicks.

**\*Senate Bill No. 1908** -- Sunset Laws -- Board of dentistry, June 30, 1999. Amends TCA, Title 4, Ch. 29; Title 27, Ch. 9; Title 63, Ch. 5; Title 68, Chs. 1, 11, 23. by \*Hicks.

**\*Senate Bill No. 1911** -- Sunset Laws -- Air pollution control board, June 30, 1999. Amends TCA, Title 4, Ch. 29; Title 44, Ch. 18; Title 68, Chs. 25, 31, 46. by \*Hicks, Cooper.

**\*Senate Bill No. 1934** -- Sunset Laws -- Water quality control board, June 30, 1999. Amends TCA, Title 4, Ch. 29; Title 60, Ch. 1; Title 68, Chs. 1, 13, 46; Title 69, Ch. 3. by \*Hicks.

**Senate Bill No. 2221** -- Hearing and Hearing Aids -- Prohibits public universities from repairing or selling hearing aids to members of public, but can repair or sell hearing aids to university students, persons served by the division of rehabilitation services, and persons served by committee for speech and hearing services. Amends TCA, Title 49. by \*Gilbert.

**Senate Bill No. 2485** -- Motor Vehicles -- Requires vehicle identification numbers on trailers, semitrailers, wreckers and snow plows; allows seizure of such vehicles without vehicle identification numbers. Amends TCA 55-5-106, 110. by \*Dunavant.

**ROLL CALL**

The roll call was taken with the following results:

Present . . . . . 97

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

On motion of Rep. Purcell, the House recessed until 9:00 a.m., Thursday, April 9, 1992.